

STATE OF SOUTH CAROLINA
BEFORE THE PUBLIC SERVICE COMMISSION

In Re: APPLICATION OF BUDGET PREPAY,
INC d/b/a/ BUDGET PHONE FOR
DESIGNATION AS A NON-RURAL
WIRELESS ELIGIBLE
TELECOMMUNICATIONS CARRIER

Docket No. 2011-_____-C

**APPLICATION OF BUDGET PRE-PAY, INC. FOR DESIGNATION AS A
NON-RURAL WIRELESS ELIGIBLE TELECOMMUNICATIONS CARRIER**

Budget Prepay, Inc. (“Budget” or the “Company”) pursuant to §214(e)(2) of the Communications Act of 1934, as amended (the “Act”),¹ §54.101 through §54.207 of the rules of the Federal Communications Commission (“FCC”), and 26 S. C. Code Ann. Regs. 103-690 and other applicable rules and regulations of the Public Service Commission of South Carolina (“PSC” or “Commission”) hereby requests that the Commission grant Budget additional designation as a wireless Eligible Telecommunications Carrier (“ETC”) in areas served by non-rural Incumbent Local Exchange Carriers “ILECs” in South Carolina for the purpose of receiving support from the federal Universal Service Fund (“USF”) to provide wireless service under its Low-Income program for Lifeline Assistance and Link-Up services. Budget does not seek ETC designation to offer services supported by the high-cost program.

As demonstrated herein, Budget satisfies all the statutory and regulatory requirements for designation as an ETC in the State of South Carolina. Because of the public interest benefits for the State of South Carolina, and because this Commission has

¹ 47 U.S.C. §214(e)(2).

previously granted ETC designation to Budget on a wireline basis, the Company respectfully requests that the Commission expeditiously approve this Petition. Budget has also petitioned and has been granted wireless ETC designation in Arkansas and Louisiana.

I. INTRODUCTION

A. Background

Budget is a Louisiana corporation² and is authorized by the South Carolina Secretary of State to conduct business in this State.³ Budget is a competitive local exchange carrier (“CLEC”) and interexchange carrier (“IXC”) providing basic local exchange services and long distance services in wire centers served by the non-rural ILECs.⁴ Budget provides service over a combination of its own facilities, including leased transport lines, leased loops, and through resale.

Budget obtained authority to provide local exchange telecommunications services in South Carolina in Docket No. 1999-512-C, via Order Number 2000-289 issued on March 24, 2000. In Docket No. 2002-291-C, Budget was authorized to provide IXC services on March 19, 2003, via Order No. 2003-163. On January 10, 2010, the Commission issued Order No. 2010-25 in Docket No. 2009-276-C, designating Budget as a “wireline” ETC for purposes of offering Lifeline and Link-Up support. Thus, Budget is already eligible to receive low-income universal service fund support, including Lifeline and Link-Up services within certain areas served by AT&T.

Budget is now seeking additional authority to provide commercial mobile radio service (“CRMS” or “wireless”) services as part of its low income service offering.

² Budget Phone was incorporated in the State of Louisiana on May 1, 1996 (Charter/Organization ID. 34525907D). The principal office of the Company is located at 1325 Barksdale Blvd, Bossier City, LA 71111.

³ See Amended Certificate of authority filed in Docket 1999-512-C

⁴ Order No. 2000-289 and Order No. 2003-163.

B. Contacts

Budget's contact name and address are set forth below:

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Budget's counsel in this matter is set forth below:

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II. BUDGET'S WIRELESS SERVICE OFFERING SATISFIES THE REQUIREMENTS FOR DESIGNATION AS AN ETC TO SERVE THE DESIGNATED AREAS

A. ETC Legal Requirements

Section 254(e) of the Act, provides that “only an eligible telecommunications carrier designated under section 214(e) of this title shall be eligible to receive specific Federal universal service support.” Section 214(e) (1) and (2) of the Act require state commissions to designate as an ETC, throughout the service area for which ETC status is sought, any common carrier that (i) offers services that are supported by federal universal service support mechanisms, either using its own facilities or a combination of its own facilities and resale of another carrier's facilities, and (ii) advertises the availability of such services and the charges using media of general distribution

1. Eligibility and Identification of the Service Area.

Budget is a common carrier as that term is defined in the Act⁵ and, as such, is eligible for designation as an ETC. Further, Budget has received ETC status in South Carolina for its wire line services. Budget is currently requesting that its ETC status be extended to include wireless services and the FCC has recognized that telecommunication providers offering wireless services are eligible to be designated as ETCs.⁶

Section 214(e) (2) of the Act provides that ETC designation shall be made for a “service area” designated by the state commission. Section 214(e) (5) of the Act provides that the “service area” shall be a “geographic area established by the State commission.” Attached hereto as **Exhibit A** is a list of the exchanges for which Budget is seeking ETC authority for its wireless services, consisting of wire centers of the non-rural ILECS.

2. Supported Services

Section 214(e) (1) (A) of the Act requires that an ETC offer the services that are supported by federal universal service support mechanisms (“Supported Services”) either using its own facilities or a combination of its own facilities and resale of another carrier’s services. Budget will provide each of these required services, identified in 47 C.F.R. § 54.101, throughout its designated service area utilizing a combination of its own facilities and resale of wireless services, as indicated below:

1. Voice-grade access to the public switched telephone network – Budget will provide its customers with the ability to make and receive calls on the public switched telephone network.

⁵ 47 USC §153 (h)(10).

⁶ Federal-State Joint Board on Universal Service, First Report and Order, 12 FCC Rcd 8776, 8858-59 (1997) (“First Report and Order”).

2. Local Usage – “Local usage” means an amount of minutes of use of exchange service, prescribed by the FCC, provided free of charge to end users.”⁷ The FCC has interpreted its rule as requiring carriers to offer customers rate plans offering varying amounts of local usage.⁸ Though Budget may ultimately decide to expand the number of Lifeline service plan options available to eligible Lifeline customers, Budget intends to initially offer qualifying customers an “unlimited talk & text” wireless plan that will provide unlimited local usage, as well as another plan with 250 free minutes of local usage. These plans satisfy the “local usage” requirement.
3. Dual-tone, multi-frequency (“DTMF”) signaling, or its functional equivalent – Budget satisfies this requirement by providing signaling that is functionally equivalent to DTMF.
4. Single-party service or its functional equivalent – Budget will meet this requirement by providing a dedicated message path for the length of its subscribers’ calls.
5. Access to emergency services – “Access to emergency service” includes access to services, such as 911 and enhanced 911 (“E-911”), provided by local governments or other public safety organizations. All of the phones that Budget distributes are capable of delivering automatic numbering information (“ANI”) and automatic location information (“ALI”), and otherwise satisfy applicable state and federal E-911 requirements.
6. Access to operator services – “Access to operator services” means access to automated or live operator assistance provided to a customer to arrange for billing or completion, or both, of a telephone call. Budget meets this requirement through its own live operators employed by Budget that are available to assist customers.
7. Access to interexchange service – With respect to wireless carriers, “access to interexchange service” means access to the functional equivalent of the use of the wireline telecommunications loop, as well as that portion of the switch that is paid for by the end user, necessary to access an interexchange carrier’s network. Budget meets this requirement by providing all of its subscribers with the ability to make and receive interexchange or toll calls. Budget will rely on its own switches located in Dallas, Texas, and Shreveport, Louisiana, to provide access to some interexchange services (for routing certain domestic and all non-domestic calls).

⁷ 47 C.F.R. §54.101(a)(2).

⁸ See *Western Wireless Corp., Petition for Designation as an Eligible Telecommunications Carrier in the State of Wyoming*, CC Docket No. 96-45, Memorandum Opinion and Order, 16 FCC Rcd 48, 52 ¶ 10 (2000).

8. Access to directory assistance – “Access to directory assistance” means access to a service that includes, but is not limited to, making available to customers, upon request, information contained in directory listings. Budget meets this requirement by providing access to directory assistance to customers. Budget subscribers will be able to dial 411 or #4007 to reach directory assistance from their mobile phones. Budget’s own switches and facilities will be used to provide access to directory assistance.
9. Toll limitation for qualifying low-income consumers – “Toll limitation” includes the offering of either “toll control” or “toll blocking” to qualifying low-income customers, as a means of limiting or blocking the completion of outgoing toll calls. Budget will offer toll limitation service using its own facilities to qualifying low-income customers, as requested.

3. Advertising Supported Services

Section 214(e)(1)(B) of the Act and 26 S.C. Code Ann. Regs. 103-690.C (a)(7) require that an ETC advertise the availability of Supported Services and the related charges using media of general distribution. ETCs are also required to publicize the availability of Lifeline and Link-up services in a manner reasonably designed to reach those likely to qualify for such services.⁹ Budget certifies via the affidavit attached as **Exhibit B** that it will advertise the availability of the Supported Services throughout its designated non-rural ILEC service areas using media of general distribution in a manner that is designed to reach those likely to qualify for such services. Budget will use a variety of media resources including point of sale material of various kinds, onsite merchandising, banners, customer direct mail, customer brochures, television, and print media. In addition, Budget agrees to comply with all form and content requirements, if any, promulgated by the FCC or this Commission in the future and required of all designated ETCs.

⁹ 47 C.F.R. §54.405(b) and §54.411(d).

4. Provision of Supported Services Through the Use of Own Facilities and Resale of Another Carrier's Services

Section 214(e)(1)(A) of the Act states that ETCs shall offer services, at least in part, over their own facilities,¹⁰ and 47 C.F.R. § 54.201(i) prohibits state commissions from designating as an ETC a telecommunications carrier that offers Supported Services exclusively through the resale of another carrier's services. The FCC required, pursuant to 47 C.F.R. § 54.201(d), that "[a] common carrier designated as an eligible telecommunications carrier...shall be eligible to receive universal service support...and shall, throughout the service area for which the designation is received," . . . "[o]ffer the services supported by federal universal service support mechanisms...either using its own facilities or a combination of its own facilities and resale of another carrier's services."¹¹ As explained by the FCC:

“We adopt the Joint Board’s analysis and conclusion that a carrier need not offer universal service wholly over its own facilities in order to be designated as eligible because the statute allows an eligible carrier to offer the supported services through a combination of its own facilities and resale.”¹²

When a carrier is relying on a “combination” of resold services and those provided using its own facilities, like Budget, a state commission is directed to grant ETC designation “irrespective of the technology”¹³ used by the applicant and cannot require the facilities to be in the “relevant service area” as long as the facilities are used “to provide services designated for support...within the service area.”¹⁴ Further, there is no state or federal definition or requirement as to the number of or the amount of the Supported Services

¹⁰ The FCC has defined the term “facilities” to include “*any physical components* of the telecommunications network that are used in the transmission or routing of the services that are designated for support”¹⁰ (emphasis added). 47 C.F.R. §54.201(e).

¹¹ See 47 C.F.R. § 54.201(d) (1).

¹² See First Report and Order at ¶169.

¹³ See 47 C.F.R. § 54.201(h).

¹⁴ See 47 C.F.R. § 54.201(g).

that an ETC must offer via its “own facilities.” The FCC stated in the First Report and Order that:

“Although the Joint Board did not reach this issue, we find that the statute does not dictate that a carrier use a specific level of its “own facilities” in providing the services designated for universal service support given that the statute provides only that a carrier may use a “combination of its own facilities and resale” and does not qualify the term “own facilities” with respect to the amount of facilities a carrier must use. For the same reasons, we find that the statute does not require a carrier to use its own facilities to provide each of the designated services but, instead, permits a carrier to use its own facilities to provide at least one of the supported services.” See First Report and Order at ¶ 169.

As long as an ETC offers any portion of the Supported Services through the use of its “own facilities,” whether or not such facilities are located in the designated service area, it will satisfy the “own facilities” requirement and qualify for both Lifeline and Link Up support.¹⁵

Budget certifies by the attached affidavit, **Exhibit B**, that it will offer the services that are supported by the federal universal service support mechanisms by using its own facilities or a combination of its own facilities and resale of services acquired from a wireless provider through existing negotiated and executed agreements. Consistent with the requirements of 47 C.F.R. § 54.201(d) (1), Budget will rely on a combination of resold services, which the Company will obtain through agreements with its underlying wireless provider, and Budget-owned facilities, which consist of switches and facilities

¹⁵ It should be noted that the FCC, in the First Report and Order, expressed concerns that a strict interpretation of the term “facilities” would violate the FCC’s express policy of competitive neutrality stating:

“We also decline to adopt a more restrictive definition of the term “facilities,” as some commenters suggest. For example, we reject the suggestion that we define “facilities” as both loop and switching facilities based on our concern that such a restrictive definition would erect substantial entry barriers for potential competitors seeking to enter local markets and, therefore, would unduly restrict the class of carriers that may be designated as eligible telecommunications carriers. Rather, we conclude that the definition of “facilities” that we adopt will serve the goals of universal service and competitive neutrality to the extent that it does not dictate the specific facilities that a carrier must provide or, by implication, the entry strategy a carrier must use and, therefore, will not unduly restrict the class of carriers that may be designated as eligible.” See First Report and Order at ¶ 153.

located in Dallas, Texas and Shreveport, Louisiana. Budget's own facilities and switches will be used to provide some of the supported services, including access to directory assistance, access to some interexchange services (for routing certain domestic and all non-domestic calls), the provision of toll limitation services and access to operator services, as that term is defined in 47 C.F.R §54.101(a)(6). Through these means, Budget is able to offer all of the services and functionalities supported by the FUSF throughout its designated service area.¹⁶

B. Additional Eligibility Criteria

The FCC, in its March 17, 2005, Report and Order established additional criteria that all ETC applicants must satisfy in order to be designated as an ETC, which include: (1) a commitment and ability to provide the Supported Services throughout the designated area; (2) the ability to remain functional in emergency situations; (3) commitment to satisfy consumer protection and service quality standards; (4) offering local usage comparable to that offered by the incumbent LEC; and (5) an acknowledgement that it may be required by the FCC to provide equal access if all other ETCs in the designated service area relinquish their designation pursuant to Section 214(e)(4) of the Act.¹⁷ South Carolina has also promulgated these same requirements in 26 S.C. Code Ann. Regs. 103-690.

¹⁶ See 47 C.F.R. §54.101(a).

¹⁷ See Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Report and Order, 20 FCC Rcd 6371 (2005) ("ETC Order"), at 6386-87

1. Commitment to Provide and Advertise the Supported Services

a. Commitment and Ability to Serve All Customers Making a Reasonable Request for Service

Pursuant to 26 S.C. Code Ann. Regs. 103-690.C (a)(1)(A), Budget will provide its services throughout its service area to all customers making a reasonable request for services. Because the wireless service provider and Budget's own facilities are operational, Budget will be able to commence offering its Lifeline and Link-up service programs to all qualified consumers soon after it receives approval from the Commission and upon implementation of procedures and internal systems necessary, such as the distribution of sales materials to authorized agent locations.

b. Advertising and Outreach Program

26 S.C. Code Ann. Regs. 103-690.C (a)(1)(C) requires an applicant to submit a two-year plan "describing the carrier's plans for advertising and outreach programs for identifying, qualifying, and enrolling eligible participants in the Lifeline and Link-Up programs." Attached as **Exhibit C** is the required marketing plan.

2. Ability to Remain Functional in Emergency Situations

47 C.F.R. § 54.202(a)(2) and 26 S.C. Code Ann. Regs. 103-690.C(a)(2) require that an ETC demonstrate its ability to remain functional in emergency situations. Because Budget's services will be provided, at least in part through resale, they will be as reliable and provide all of the back-ups and contingency plans of its underlying wireless service provider, which include backup battery power at cell sites to ensure functionality in emergency situations. Additionally, Budget will have the ability to provide for the re-routing of traffic around damaged facilities, and management of traffic spikes resulting from emergency situations through its wireless service provider and its own facilities.

3. Consumer Protection and Commitment to Provide Quality Service

If designated as a wireless ETC, Budget will satisfy all consumer protection and service quality standards as set forth in 47 CFR §54.202(a)(2), as well 26 S.C. Code Ann. Regs. 103-690.C (a)(3). Budget will certify compliance with the protection of the Cellular Telecommunications and Internet Association's ("CTIA") Consumer Code for Wireless Service and to not use, disclosure or permit access to, Customer Proprietary Network Information ("CPNI") except as permitted under 47 U.S.C. §222(d), except as otherwise required by law pursuant to 47 U.S.C. §222(c)(1) or except as permitted under 47 U.S.C. §222(c)(1)(A) and(B). Budget will commit that all universal service fund support received will be directly reflected in the price that the eligible customer pays.

Through the use of resold services and its own facilities, Budget will be able to provide the same quality and reliability as that currently provided by any other wireless provider. Although no carrier can guarantee that its customers will never experience service disruptions, Budget's contractual arrangements and its own facilities are designed to minimize any failures, provide alternate call routing, and expedite recovery in the event a failure occurs. Budget affirms its commitment to continue to satisfy applicable consumer protection and service quality standards if certified as an ETC.

An ETC is required to "[d]emonstrate that it offers a local usage plan comparable to the one offered by the incumbent LEC in the service areas for which it seeks designation."¹⁸ The FCC has explained that the local usage plans of an ETC applicant should be reviewed on a case-by-case basis¹⁹ in order to ensure that each ETC is providing a local usage component as a part of its universal service offering that meets

¹⁸ 47 C.F.R. § 54.202(a) (ii) (4) and 26 S.C. Code Ann. Regs. §103-690.C (a)(4)

¹⁹ See ETC Order at 6385, ¶ 33 .

the FCC requirements. With respect to wireless service, to date, the FCC has not quantified an amount of local usage required to be included by an ETC in its universal service offering.²⁰ Though Budget may offer additional plans in the future, its initial Lifeline service offering will include an “unlimited talk & text” wireless plan that will provide unlimited local and domestic wireless usage, as well as a free plan providing 250 minutes on local and domestic toll usage. Budget’s local usage plans satisfy the “comparable local usage” requirement.

4. Equal Access

Both the FCC and South Carolina require an acknowledgment from a prospective ETC that it may be required to “provide equal access to long distance carriers in the event that no other eligible telecommunications carrier is providing equal access within the designated service area.”²¹ Budget acknowledges that it may be required to provide equal access to long distance carriers in the event that no other eligible telecommunications carrier is providing equal access within the designated service area. See the Affidavit of Robert Daniel Hyde, III, attached as **Exhibit B**.

III. INCLUSION OF BUDGET’S WIRELESS SERVICE IN THE COMPANY’S ETC DESIGNATION WILL SERVE THE PUBLIC INTEREST CONSISTENT WITH THE FCC’S ORDER AND 26 S.C. CODE ANN. REGS. § 103-690.C(b).

A. Public Interest

Although “Congress did not establish specific criteria to be applied under the public interest test,”²² the FCC did establish that “the public interest benefits of a particular ETC designation” should be analyzed in a manner consistent with the Act’s

²⁰ See ETC Order at 6385, ¶32.

²¹ 47 C.F.R. § 54.202(a) (5) and S.C. Code Ann. Regs. 103-690.C (a)(5)

²² ETC Order at ¶ 40.

purposes, including the “goals of preserving and advancing universal service, ensuring the availability of quality telecommunications at just, reasonable, and affordable rates, and promoting the deployment of advanced telecommunications and information services to all regions of the nation, including rural and high-cost areas.”²³ Additionally the FCC established that “it will consider a variety of factors in the overall ETC determination, including the benefits of increased consumer choice, and the unique advantages and disadvantages of the competitor’s service offering.”²⁴

The Commission has previously ruled that Budget’s wireline service meets these requirements and Budget has the financial resources and commitment to bring quality, cost-effective communications services to South Carolina consumers, and has done so for years. The Company believes that providing discounted wireless service is also consistent with the public interest and provides the following information that clearly demonstrates Budget’s inclusion of the wireless service in its designation as an ETC is consistent with the public interest, convenience and necessity, providing consumers with increased competitive choice through the offering of a unique service at rates that are just, reasonable and affordable.

The public interest benefits associated with the Company’s wireless service include larger local calling areas (as compared to traditional wireline carriers), and the convenience, security and mobility afforded by mobile telephone service. Further, Budget’s offerings provide the opportunity for customers to select from various options ranging from a high value wireless plan that provides unlimited local and domestic long distance and texting to a free plan that includes 250 calling minutes. The ability of the

²³ *Id.*

²⁴ ETC Order at ¶ 41.

customer to select between prepaid offerings that include unlimited local and domestic calling or limited minute plans removes the risk of any customer becoming burdened with large and unexpected toll charges and unexpected overage charges. Additionally, wireless service greatly benefits consumers who routinely drive long distances to attend work or school or to accomplish everyday tasks such as shopping or attending community and social events.

Budget's unique pre-paid options are designed to provide consumers who, due to credit or deposit requirements, may not be able to obtain the safety and convenience of telephone service from traditional providers, and a Budget customer is never obligated for more than 30 days. Unlike many wireless providers, as indicated above, one of Budget's service offerings is a **high value** wireless service that includes unlimited local and domestic long distance calling, unlimited text messaging, caller ID, call waiting and voicemail, all without the requisite credit check, deposit, and contract requirements of the more traditional wireline and wireless service providers. Through the Link-up program, Budget will be able to provide consumers with a reduction in the cost of the fees associated with the connection of service. Because Budget's service is provided with no credit check, deposit requirement, minimum service periods, or early termination fees, the service will be an attractive and affordable alternative to qualified low-income consumers without regard to age, residency, or creditworthiness.

B. Lifeline Service

Budget will offer two wireless prepaid federal USF offerings throughout its designated service area: the Unlimited Talk and Text Plan, and the Free 250 Plan. A summary of each is provided below:

Unlimited Talk and Text: This prepaid service provides unlimited local and domestic long distance calling, unlimited texting, caller ID, call waiting and voicemail. Customers can add international long distance at \$5.00 intervals and data/pic packages for \$15.00. Customers will receive a free handset or can purchase an upgraded handset from Budget. Service payments will be made at participating Budget agent retail outlets frequented by low income customers through the designated service area.

Unlimited Talk and Text Plan	\$45.50
Minimum Lifeline Credit	(\$13.50)
Unlimited Talk and Text Lifeline Price	\$32.00

Free 250 Plan: This prepaid service provides 250 minutes of local and domestic long distance calling, caller ID, call waiting and basic voicemail. Customers will receive a free handset or they can purchase an upgraded handset from Budget. Customers can add additional airtime in denominations and at the rates indicated below. Customers can purchase international long distance at \$5.00 intervals, data/pic packages at \$15.00 and unlimited texting at \$10.00. Service payments will be made at participating Budget agent retail outlets frequented by low income customers through the designated service area.

250 Minute Plan	\$25.00
Minimum Lifeline Credit	(\$25.00) ²⁵
Free 250 Lifeline Plan	FREE
Additional minutes	\$5.00 -50 minutes \$10.00-100 minutes \$15.00-150 minutes

Service payments will be made at participating Budget agent retail outlets frequented by low income customers through the designated service area.

C. Link-Up Service

Assistance under the Link-Up program is in the form of a “reduction in the carrier’s customary charge for commencing telecommunications service for a single telecommunications connection” and “shall be half of the customary charge or \$30.00, whichever is less.”²⁶ Consistent with FCC requirements, Budget will use Link-Up support to reduce the Company’s “customary charge for commencing service” for eligible residents.

Qualifying subscribers will have the option of deferring the reduced activation charge over a twelve month period with no interest allowing subscribers to obtain service without being required to pay any up-front fees to activate service with Budget.

²⁵ Budget will provide support above the \$3.50 Tier 3 level at its own expense to ensure that Lifeline customers have the opportunity to obtain 250 free minutes.

²⁶ See 47 C.F.R. §54.411(a) (1).

V. BUDGET WILL COMPLY WITH THE LIFELINE AND LINK-UP CERTIFICATION AND VERIFICATION REQUIREMENTS

Sections 54.410 and 54.416 of the FCC's rules require ETCs to comply with the requirements of initial certification of eligibility and the verification of continued eligibility for participation in the Lifeline and Link-Up programs. Budget commits that it will certify and verify consumer eligibility in accordance with applicable FCC rules governing both certification and verification of Lifeline and Link-Up eligibility. Budget has developed a detailed compliance policy that includes the Company's procedures for initial certification of eligibility and the verification of continued eligibility for participation in these vital low-income programs and will make these materials available to the Commission or the ORS upon request.

VI. RELIEF REQUESTED

Based on the foregoing, Budget respectfully requests that the Commission:

- A. Designate Budget as an eligible telecommunications carrier for purposes of receiving federal universal service support for Lifeline and Link-Up services;
- B. Designate each of Budget's individual wire centers attached as Exhibit A as a service area for purpose of determining universal service obligations and support mechanisms;
- C. Send appropriate notice of Budget's ETC Designation to the Federal Communications Commission and the Universal Service Administrative Company; and
- D. Order such other relief as may be appropriate.

[signature page to follow]

Respectfully submitted,

s / John J. Pringle, Jr.

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